

32

1 Carl W. Collins (State Bar No. 109282)  
2 Attorney at Law  
3 1127-12th Street, Suite 202  
4 P.O. Box 3291  
5 Modesto, California 95353  
Telephone: (209) 521-8100  
Facsimile: (209) 524-8461  
6 Facsimile (209) 524-8461  
E-mail: [carl@cwcollinslaw.com](mailto:carl@cwcollinslaw.com)

7 Attorney for Trustee  
Michael D. McGranahan

8

12 In re: ) Case No: 10-94467  
13 Tina M. Brown, ) Chapter 7 Case  
14 P.O. Box 3931 ) DC No. CWC-2  
Sonora, CA 95370  
15  
16 S.S. xxx-xx-6906 ) Date: February 22, 2012  
Debtor. ) Time: 10:30 a.m.  
17 ) Place: Modesto Courtroom  
 ) Department D

18 LIST OF EXHIBITS IN SUPPORT OF

19 || MOTION TO COMPEL TURNOVER OF PROPERTY OF THE ESTATE

20	Exhibit 1 - Order entered on August 29, 2011 in Tuolumne County Superior Court, Case No. FL9718 . . . . .	2-18
21		
22	Exhibit 2 - Trustee's turnover demand correspondence of September 19, 2011 . . . . .	19-23
23		
24	Exhibit 3 - Debtor's responses to Trustee's demand letter of September 19, 2011 . . . . .	24-26
25		
26	Exhibit 4 - Trustee's turnover demand correspondence of November 9, 2011 . . . . .	27-29
27		
28	Exhibit 5 - Debtor's responses to Trustee's demand letter of November 9, 2011 . . . . .	30-32

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>HAL B. CHANNELL, ESQ.</b> SBN 119281 77 Linoberg Street Sonora, CA 95370		FOR COURT USE ONLY
TELEPHONE NO.: (209) 532-8399 FAX NO. (Optional): (209) 532-2021 E-MAIL ADDRESS (Optional): <a href="mailto:channel@mlode.com">channel@mlode.com</a>		<b>FILED</b> <b>AUG 29 2011</b> Superior Court of California County of Tuolumne By: <u>Vicki F. Boone</u> Clerk
ATTORNEY FOR (Name): <b>TIMOTHY BROWN</b>		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>TUOLUMNE</b> STREET ADDRESS: 41 W. Yaney Avenue MAILING ADDRESS: 41 W. Yaney Avenue CITY AND ZIP CODE: Sonora, CA 95370		
BRANCH NAME: <b>PETITIONER: TIMOTHY BROWN</b>		
RESPONDENT: <b>TINA BROWN</b>		
NOTICE OF ENTRY OF JUDGMENT		CASE NUMBER: <b>FL9718</b>

You are notified that the following Judgment was entered on (date):

- Dissolution
- Dissolution - status only
- Dissolution - reserving jurisdiction over termination of marital status or domestic partnership
- Legal separation
- Nullity
- Parent-child relationship
- Judgment on reserved issues
- Other (specify):

Date: **AUG 29 2011**

**AUG 29 2011**  
TUOLUMNE COUNTY SUPERIOR COURT

*Vicki F. Boone*

Jeanne Caughell, Clerk, by \_\_\_\_\_, Deputy

**-NOTICE TO ATTORNEY OF RECORD OR PARTY WITHOUT ATTORNEY-**

Under the provisions of Code of Civil Procedure section 1952, if no appeal is filed the court may order the exhibits destroyed or otherwise disposed of after 60 days from the expiration of the appeal time.

**STATEMENT IN THIS BOX APPLIES ONLY TO JUDGMENT OF DISSOLUTION**

Effective date of termination of marital or domestic partnership status (specify):

WARNING: Neither party may remarry or enter into a new domestic partnership until the effective date of the termination of marital or domestic partnership status, as shown in this box.

**CLERK'S CERTIFICATE OF MAILING**

I certify that I am not a party to this cause and that a true copy of the Notice of Judgment was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed

at (place): **SONORA**

Date: **AUG 29 2011**

Jeanne Caughell,

California, on (date):

**AUG 29 2011**

TUOLUMNE COUNTY SUPERIOR COURT

Clerk, by *Vicki F. Boone*, Deputy

Name and address of respondent or respondent's attorney

**TINA BROWN**  
c/o Michael Goss, Esq.  
1119 Twelfth Street  
Modesto, CA 95354

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>HAL B. CHANNELL, ESQ.</b> SBN 119281 77 Linoberg Street Sonora, CA 95370 TELEPHONE NO.: (209) 532-8399 FAX NO. (Optional): (209) 532-2021 E-MAIL ADDRESS (Optional): <a href="mailto:channell@mlode.com">channell@mlode.com</a> ATTORNEY FOR (Name): <b>TIMOTHY BROWN</b>		<small>FOR COURT USE ONLY</small> <b>FILED</b> <b>AUG 29 2011</b> Superior Court of California County of Tuolumne <i>Vicki J. Boone</i> By: <i>Vicki J. Boone</i> Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>TUOLUMNE</b> STREET ADDRESS: 41 W. Yaney Avenue MAILING ADDRESS: 41 W. Yaney Avenue CITY AND ZIP CODE: Sonora, CA 95370 BRANCH NAME:		
<b>MARRIAGE OF</b> PETITIONER: <b>TIMOTHY BROWN</b> RESPONDENT: <b>TINA BROWN</b>		
<input checked="" type="checkbox"/> <b>JUDGMENT</b> <input type="checkbox"/> <b>DISSOLUTION</b> <input type="checkbox"/> <b>LEGAL SEPARATION</b> <input type="checkbox"/> <b>NULLITY</b> <input type="checkbox"/> Status only <input type="checkbox"/> Reserving jurisdiction over termination of marital or domestic partnership status <input checked="" type="checkbox"/> Judgment on reserved issues Date marital or domestic partnership status ends:		<small>CASE NUMBER:</small> <b>FL9718</b>

1.  This judgment  contains personal conduct restraining orders  modifies existing restraining orders. The restraining orders are contained on page(s) \_\_\_\_\_ of the attachment. They expire on (date): \_\_\_\_\_
2. This proceeding was heard as follows:  Default or uncontested  By declaration under Family Code section 2336  
 Contested  
 a. Date: \_\_\_\_\_  
 b. Judicial officer (name): **JAMES A. BOSCOE**  
 Petitioner present in court  
 Respondent present in court  
 Claimant present in court (name): \_\_\_\_\_  
 Other (specify name): \_\_\_\_\_  
 Dept. **TWO**  
 Attorney present in court (name): \_\_\_\_\_  
 Attorney present in court (name): \_\_\_\_\_  
 Attorney present in court (name): \_\_\_\_\_  
 Room: \_\_\_\_\_  
 Temporary judge
3. The court acquired jurisdiction of the respondent on (date): 3/4/10
  - a.  The respondent was served with process
  - b.  The respondent appeared.

**THE COURT ORDERS, GOOD CAUSE APPEARING**

- a.  Judgment of dissolution is entered. Marital or domestic partnership status is terminated and the parties are restored to the status of single persons
  - on (specify date): \_\_\_\_\_
  - on a date to be determined on noticed motion of either party or on stipulation.
- b.  Judgment of legal separation is entered.
- c.  Judgment of nullity is entered. The parties are declared to be single persons on the ground of (specify): \_\_\_\_\_
- d.  This judgment will be entered nunc pro tunc as of (date): \_\_\_\_\_
- e.  Judgment on reserved issues.
- f. The  petitioner's  respondent's former name is restored (specify): \_\_\_\_\_
- g.  Jurisdiction is reserved over all other issues, and all present orders remain in effect except as provided below.
- h.  This judgment contains provisions for child support or family support. Each party must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this judgment. The parents must notify the court of any change in the information submitted within 10 days of the change, by filing an updated form. The *Notice of Rights and Responsibilities-Health Care Costs and Reimbursement Procedures and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.

CASE NAME (Last name, first name of each party): BROWN - Tim and Tina	CASE NUMBER: FL9718
--	------------------------

## 4. (Cont'd.)

- A settlement agreement between the parties is attached.
- A written stipulation for judgment between the parties is attached.
- The children of this marriage or domestic partnership.

- (1)  The children of this marriage or domestic partnership are:

Name

Birthdate

- (2)  Parentage is established for children of this relationship born prior to the marriage or domestic partnership.
- Child custody and visitation are ordered as set forth in the attached
  - (1)  settlement agreement, stipulation for judgment, or other written agreement.
  - (2)  *Child Custody and Visitation Order Attachment* (form FL-341).
  - (3)  *Stipulation and Order for Custody and/or Visitation of Children* (form FL-355).
  - (4)  other (specify):

- Child support is ordered as set forth in the attached
  - (1)  settlement agreement, stipulation for judgment, or other written agreement.
  - (2)  *Child Support Information and Order Attachment* (form FL-342).
  - (3)  *Stipulation to Establish or Modify Child Support and Order* (form FL-350).
  - (4)  other (specify):

- Spousal or partner support is ordered as set forth in the attached
  - (1)  settlement agreement, stipulation for judgment, or other written agreement.
  - (2)  *Spousal, Partner, or Family Support Order Attachment* (form FL-343).
  - (3)  other (specify):

NOTICE: It is the goal of this state that each party will make reasonable good faith efforts to become self-supporting as provided for in Family Code section 4320. The failure to make reasonable good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating spousal or partner support.

- Property division is ordered as set forth in the attached
  - (1)  settlement agreement, stipulation for judgment, or other written agreement.
  - (2)  *Property Order Attachment to Judgment* (form FL-345).
  - (3)  other (specify):

- Other (specify):

Each attachment to this judgment is incorporated into this judgment, and the parties are ordered to comply with each attachment's provisions.

Jurisdiction is reserved to make other orders necessary to carry out this judgment.

Date:

AUG 23 2011

James A. Boscoe

JUDICIAL OFFICER

5. Number of pages attached: TWELVE

SIGNATURE FOLLOWS LAST ATTACHMENT

## NOTICE

Dissolution or legal separation may automatically cancel the rights of a spouse or domestic partner under the other spouse's or domestic partner's will, trust, retirement plan, power of attorney, pay-on-death bank account, transfer-on-death vehicle registration, survivorship rights to any property owned in joint tenancy, and any other similar thing. It does not automatically cancel the rights of a spouse or domestic partner as beneficiary of the other spouse's or domestic partner's life insurance policy. You should review these matters, as well as any credit cards, other credit accounts, insurance policies, retirement plans, and credit reports, to determine whether they should be changed or whether you should take any other actions.

A debt or obligation may be assigned to one party as part of the dissolution of property and debts, but if that party does not pay the debt or obligation, the creditor may be able to collect from the other party.

An earnings assignment may be issued without additional proof if child, family, partner, or spousal support is ordered.

Any party required to pay support must pay interest on overdue amounts at the "legal rate," which is currently 10 percent.

1  
2 **STIPULATION FOR JUDGMENT**

3 It is hereby stipulated by and between the parties hereto that Judgment may be  
4 entered as follows:

5 1. Petitioner agrees to pay to Respondent the sum of THREE HUNDRED  
6 DOLLARS (\$300.00) per month in and for spousal support for twelve (12) months  
7 beginning the month after the execution of this stipulated Judgment. Spousal support shall  
8 terminate absolutely after twelve (12) months and each waives the right ever to obtain  
9 spousal support from the other. Both parties understand that by waiving spousal support,  
10 they will never be able to return to court to request spousal support ever again, regardless of  
11 any change of circumstances that may occur. This waiver is knowingly, intelligently, and  
12 voluntarily made. This waiver of spousal support was carefully bargained for by the parties  
13 and they understand the ramifications of the waiver.

14 2. Petitioner shall be responsible for attorney fees to Respondent up to \$6,000.00.  
15 Petitioner's attorney shall forward a check to Michael Goss from the money being held in  
16 his trust account in the approximate sum of \$22,205.58. The attorney fees payable by  
17 petitioner to respondent shall be in the sum of \$3,499.48 as agreed to by the parties. This  
18 sum will be paid at a reasonable rate by petitioner to respondent.  
19

20 3. Each party is awarded the miscellaneous items of personal property now in his or  
21 her possession except for those items previously agreed to be exchanged as shown in the  
22 attached property list marked Exhibit "A". Exhibit "A" was agreed to in court and  
23 approved by the parties. A further division of personal property is as follows and shall  
24 occur on or before August 23, 2011:  
25

26 a. Petitioner will be awarded the Harley Davidson red Fat Boy;  
27 b. Respondent will receive the Harley Davidson Screaming Eagle;

---

STIPULATION FOR JUDGMENT

Page - 1 -

- c. Petitioner will be awarded the 2010 Chevrolet Silverado pickup;
- d. The black cargo trailer will be awarded to petitioner;
- e. Respondent will be awarded the jewelry in the safety deposit box;
- f. Respondent will be awarded the money in Petitioner's attorney trust account with an approximate value of \$22,203.58 minus the \$6,000.00 paid to respondent's attorney;
- g. Each party shall be awarded the washer and dryer in their possession;
- h. Petitioner shall be awarded the dining room set in his possession;
- i. Respondent shall be awarded the bedroom set currently located at the High School Road property'

11           4. Petitioner will be awarded the real property located at 17480 High School Road,  
12 Jamestown, Tuolumne County, California. Petitioner shall assume the two mortgages on  
13 the real property. Petitioner shall also be awarded the Mexico real property. Respondent  
14 shall execute any documents necessary for the transfer of the above real properties to  
15 petitioner.  
16

17       With regard to all property assigned under this Agreement, except as may otherwise  
18       be specifically provided in this Agreement, the assignee spouse assumes all encumbrances  
19       and liens on the property and agrees to indemnify and hold the other party free and  
20       harmless from any claim or liability that the other party may suffer or may be required to  
21       pay because of those encumbrances or liens, including the payment of reasonable attorney  
22       fees.

24           The party assigned an insured asset shall, as of the effective date of this Agreement,  
25           receive the benefits and protections of that insurance, shall be considered the owner of the  
26           insurance policy, and shall pay all policy premiums coming due on and after that date, for  
27           so long as the policy is maintained in force. A party assigned insured property must notify  
28

1 the insurance carrier for the property concerning the change in ownership within 30 days  
2 after the execution of this Agreement.

4       5. The division of the property and debts of the parties is a fair and equitable  
5 division of the marital assets and obligations.

6. The court shall reserve jurisdiction over all executory provisions of this

7 | Stipulated Judgment.

DATED: 8-22-11, 2011.

TIMOTHY BROWN  
Petitioner

12 DATED: 8/21/11, 2011.

TINA BROWN  
Respondent

15  
16 DATED: 8/22, 2011.

HAL B. CHANNELL  
Attorney for Petitioner

DATED: \_\_\_\_\_, 2011.

**MICHAEL GOSS**  
Attorney for Respondent

1 the insurance carrier for the property concerning the change in ownership within 30 days  
2 after the execution of this Agreement.

4        5. The division of the property and debts of the parties is a fair and equitable  
5        division of the marital assets and obligations.

6       6. The court shall reserve jurisdiction over all executory provisions of this  
7       Stipulated Judgment.

DATED: \_\_\_\_\_, 2011.

---

**TIMOTHY BROWN**  
Petitioner

DATED: \_\_\_\_\_, 2011.

**TINA BROWN**  
Respondent

16 DATED: \_\_\_\_\_, 2011.

HAL B. CHANNEL  
Attorney for Petitioner

DATED: 19 Aug, 2011.

**MICHAEL GOSS**  
Attorney for Respondent

ATTORNEY OR PARTY WITHOUT ATTORNEY(Name and Address): TELEPHONE NO: HAL CHANNELL	FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner	
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011
PROPOSED DIVISION OF COMMUNITY PROPERTY	CASE NUMBER: FL9718 MARRIAGE OF: BROWN

**Property Division - Fair Market Value**

Item Description	Current Value	Estimated Value	Equity	Community Value	Proposed Division	Market Value
HIGH SCHOOL ROAD property reserved for a later hearing	Unknown	0	0	0	0	0
MEXICO PROPERTY to be sold and proceeds divided equally	Unknown	0	0	0	0	0
SAUNA - W	1,000	0	1,000	0	1,000	
SAUNA - H	1,000	0	1,000	1,000	0	0
TANNING BED	1,000	0	1,000	1,000	0	0
BOW FLEX	1,000	0	1,000	1,000	0	0
BOW FLEX ELLIPTICAL	400	0	400	0	400	
TV WALL MOUNT	20	0	20	0	0	20
MIRROR - DB	15	0	15	15	0	0
PICTURES - DB	15	0	15	0	0	15
3 TIER SHELF	5	0	5	0	0	5
MOTORCYCLE GEAR - W	1,000	0	1,000	0	1,000	
MOTORCYCLE GEAR - H	1,000	0	1,000	1,000	0	0
PEDDLE BIKE - W	250	0	250	0	250	
PEDDLE BIKE - H	250	0	250	250	0	0
LADDERS	0	0	0	0	0	0
ONE EACH						
FREEZER	25	0	25	25	0	0
STEAM CLEANER - W	1	0	1	0	0	1
DEEPER FRYER - W	25	0	25	0	0	25
DEEP FRYER - H	25	0	25	25	0	0
FOLDING TABLE AND CHAIRS	10	0	10	0	0	10
WICKER STAND	15	0	15	0	0	15
SWIVEL MIRROR	10	0	10	0	0	10
PICTURES (BATHROOM)	15	0	15	15	0	0
WESTERN MIRROR	75	0	75	0	0	75
WATER FORD GLASSES	100	0	100	0	0	100

Page 1



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address); TELEPHONE NO: HAL CHANNELL	FOR COURT USE ONLY
ATTORNEY FOR (Name); Petitioner	
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011
PROPOSED DIVISION OF COMMUNITY PROPERTY	CASE NUMBER: FL9718 MARRIAGE OF: BROWN

**Property Division - Fair Market Value**

Item	Current Value	Estimated Fair Market Value	Allocation to W	Allocation to H	Allocation to Both	Allocation to Disputed
WINE OPENER	25	0	25	0	25	
POTS & PANS - W	75	0	75	0	75	
to be split by agreement						
POTS & PANS - H	75	0	75	75	0	
to be split by agreement						
DISHES & GLASSES - W	100	0	100	0	100	
to be split by agreement						
DISHES & GLASSES - H	100	0	100	100	0	
to be split by agreement						
WOOD BLOCK	150	0	150	150	0	
WINE FRIG - W	70	0	70	0	70	
to be split by agreement						
WINE FRIG - H	70	0	70	70	0	
to be split by agreement						
BAKING DISHES	Unknown	0	0	0	0	
parties to split the baking dishes						
COFFEE POT - W	5	0	5	0	5	
COFFEE POT - H	5	0	5	5	0	
IRON & BOARD - W	100	0	100	0	100	
IRON & BOARD - H	100	0	100	100	0	
WASHER & DRYER - W	Unknown	0	0	0	0	
DISPUTED						
WASHER & DRYER - H	0	0	0	0	0	
DISPUTED						
BAR STOOLS	100	0	100	100	0	
CHEST ON STAND	200	0	200	0	200	
PLANT STAND	65	0	65	0	65	

Page 2

SupportTax/Equitable Divider  
www.supporttax.net

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address); TELEPHONE NO: HAL CHANNELL	FOR COURT USE ONLY
ATTORNEY FOR (Name); Petitioner	
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011
PROPOSED DIVISION OF COMMUNITY PROPERTY	CASE NUMBER: FL9718 MARRIAGE OF: BROWN

**Property Division - Fair Market Value**

Item Description	Current Fair Market Value	Encumbrances	Debts	Estimated Fair Market Value	Estimated Debts
DISH WOODEN WALL HOLDER - W	50	0	50	0	50
DISH WOODEN WALL HOLDER - H	50	0	50	50	0
2 DRESSERS, 2 NIGHT STANDS, QUEEN BED	500	0	500	0	500
LEATHER TRUNK	150	0	150	0	150
2 DOLITTLE PICTURES	150	0	150	0	150
FLAT SCREEN TV	250	0	250	250	0
CLOCK	5	0	5	0	5
BOOK CASE ENTRY	25	0	25	25	0
SAFE	200	0	200	200	0
CHEST (OFFICE)	75	0	75	0	75
LEATHER COUCH	400	0	400	400	0
LEATHER CHAIR	50	0	50	50	0
CD'S	200	0	200	0	200
GRINDER SALAD	1	0	1	0	1
STEAM CLEANER - H	1	0	1	1	0
2007 CHEVROLET CORVETTE	24,915	14,000	10,915	10,915	0
PACE MOTORHOME	1	0	1	1	0
the Pace Motorhome is awarded to husband with contents					
2004 HARLEY DEUCE	7,000	0	7,000	0	7,000
2007 HARLEY SCREAMING EAGLE DISPUTED AWARD	Unknown	0	0	0	0
2008 HARLEY CROSS BONES	11,000	13,000	-2,000	-2,000	0
UMPQUA SAVINGS	10,000	0	10,000	0	10,000
UMPQUA - H	Unknown	0	0	0	0
DISPUTED CHARACTERIZATION OF \$4,800.00 MONEY TAKEN BY HUSBAND					

Page 3

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO: HAL CHANNELL	FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner	
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011
PROPOSED DIVISION OF COMMUNITY PROPERTY	CASE NUMBER: FL9718 MARRIAGE OF: BROWN

**Property Division - Fair Market Value**

Item Description	Current Value	Estimated Value	Equity	Community Interest	Community Interest	Proposed Value
MOTHER LODE - W	10,000	0	10,000	0	0	10,000
TRUST ACCOUNT	20,000	0	20,000	20,000	0	0
DISPUTED ALLOCATION						
LINCOLN BENEFIT - W	4,909	0	4,909	0	0	4,909
LINCOLN BENEFIT - H	4,200	0	4,200	4,200	0	0
SAUNA BUSINESS	Unknown	0	0	0	0	0
DISPUTED ALLOCATION						
DOGS	1	0	1	1	1	0
WIFE TO BE AWARDED TWO PUPPIES FROM LITTERS WHEN THE PUPPIES ARE 8 WEEKS OF AGE						
THE FOUR DOGS ARE AWARDED TO HUSBAND						
AMERICAN FUNDS	3,588	0	3,588	0	0	3,588
EDWARD JONES	10,600	0	10,600	10,600	0	0

Page 4

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO: HAL CHANNELL	FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner	
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011
SEPARATE PROPERTY REPORT	CASE NUMBER: FL9718 MARRIAGE OF: BROWN

ITEM	DESCRIPTION	VALUATION	VALUATION	VALUATION	VALUATION
PATIO TABLE AND CHAIRS		800	0	0	800
SWING CHAIRS		400	0	400	0
VERMONT BBQ		600	0	600	0
JOHN DEERE MOWER		400	0	400	0
TEAK TABLE AND CHAIRS		25	0	25	0
WEED WHACKERS		25	0	25	0
WESTERN TABLE		300	0	0	300
TACK		650	0	650	0
ANTIQUE SADDLE		2,500	0	2,500	0
CHEST		100	0	100	0
DROP LEAF TABLE		600	0	0	600
WALL TABLE		250	0	250	0
SLOT MACHINE		600	0	600	0
COMPUTER DESK		300	0	0	300
BBQ MOTORHOME		200	0	0	200
WESTERN MIRROR (LIVING ROOM)		100	0	0	100
LAMPS		150	0	150	0
1997 HARLEY		7,000	0	0	7,000

Page 1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO: HAL CHANNELL		FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner		
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:		PRINTED: 08/18/2011 MODIFIED: 07/06/2011
SEPARATE PROPERTY REPORT		CASE NUMBER: FL9718 MARRIAGE OF: BROWN

Separate Items					
UMPQUA - H	1,350	0	1,350	0	

\* Total Current Fair Market Value of items that are in whole or in part separate property.



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO:		FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner		
DATE OF MARRIAGE:		PRINTED: 08/18/2011
DATE OF SEPARATION:		MODIFIED: 07/06/2011
DATE OF SETTLEMENT OR TRIAL:		
COURT NOTES REPORT		CASE NUMBER: FL9718 MARRIAGE OF: BROWN
Real Estate Personal Real	HIGH SCHOOL ROAD	property reserved for a later hearing
Real Estate Personal Real	MEXICO PROPERTY	to be sold and proceeds divided equally
Household Items Furniture	LADDERS	ONE EACH
Household Items Furniture	CHAIN SAW	ONE TO EACH PARTY
Household Items Furniture	POTS & PANS - W	to be split by agreement
Household Items Furniture	POTS & PANS - H	to be split by agreement
Household Items Furniture	DISHES & GLASSES - W	to be split by agreement
Household Items Furniture	DISHES & GLASSES - H	to be split by agreement

PACN

15

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO:		FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner		
DATE OF MARRIAGE:	PRINTED: 08/18/2011	
DATE OF SEPARATION:	MODIFIED: 07/06/2011	
DATE OF SETTLEMENT OR TRIAL:		
COURT NOTES REPORT	CASE NUMBER: FTI9718 MARRIAGE OF: BROWN	
Household Items Furniture	WINE FRIG - W	to be split by agreement
Household Items Furniture	WINE FRIG - H	to be split by agreement
Household Items Furniture	BAKING DISHES	parties to split the baking dishes
Household Items Furniture	WASHER & DRYER - W	DISPUTED
Household Items Furniture	WASHER & DRYER - H	DISPUTED
Household Items Furniture	WOOD TABLE & CHAIRS	DISPUTED
Vehicles Cars	2010 CHEVY PICK UP	DISPUTED CHARACTERIZATION
Vehicles Recreational	PACE MOTORHOME	the Pace Motorhome is awarded to husband with contents
Vehicles Motorcycles	2007 HARLEY SCREAMING EAGLE	DISPUTED AWARD

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): TELEPHONE NO: HAL CHANNELL		FOR COURT USE ONLY
ATTORNEY FOR (Name): Petitioner		
DATE OF MARRIAGE: DATE OF SEPARATION: DATE OF SETTLEMENT OR TRIAL:	PRINTED: 08/18/2011 MODIFIED: 07/06/2011	
COURT NOTES REPORT		CASE NUMBER: FL9718 MARRIAGE OF: BROWN
DISPUTED CHARACTERIZATION		
Vehicles Miscellaneous	BLACK CARGO TRAILER	
Accounts Savings	UMPQUA - H	DISPUTED CHARACTERIZATION OF \$4,800.00 MONEY TAKEN BY HUSBAND
Cash	TRUST ACCOUNT	DISPUTED ALLOCATION
Businesses	SAUNA BUSINESS	DISPUTED ALLOCATION
Businesses	DOGS	WIFE TO BE AWARDED TWO PUPPIES FROM LITTERS WHEN THE PUPPIES ARE 8 WEEKS OF AGE THE FOUR DOGS ARE AWARDED TO HUSBAND

## CERTIFICATE OF ACKNOWLEDGEMENT

STATE OF CALIFORNIA )

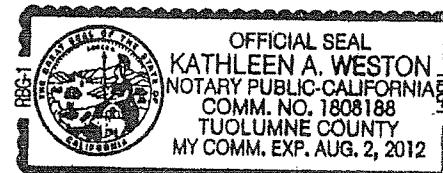
COUNTY OF Tuolumne )On Aug 22, 2011 before me, Kathleen A. Weston, Notary Public  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"personally appeared, Tina Brown

who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Kathleen Weston (SEAL)  
NOTARY PUBLIC SIGNATURE



## OPTIONAL INFORMATION

THIS OPTIONAL INFORMATION SECTION IS NOT REQUIRED BY LAW BUT MAYBE BENEFICIAL TO PERSONS RELYING ON THIS NOTARIZED DOCUMENT.

TITLE OR TYPE OF DOCUMENT \_\_\_\_\_

DATE OF DOCUMENT \_\_\_\_\_ NUMBER OF PAGES \_\_\_\_\_

SIGNER(S) OTHER THAN NAMED ABOVE \_\_\_\_\_

SIGNER'S NAME \_\_\_\_\_ SIGNER'S NAME \_\_\_\_\_

## CARL W. COLLINS

FAX (209) 524-8461  
E-MAIL carl@cwcollinslaw.com

ATTORNEY AT LAW  
1127 12TH STREET, SUITE 106  
MODESTO, CALIFORNIA 95354

MAILING ADDRESS:  
P.O. BOX 3291  
MODESTO, CA 95353-3291

(209) 521-8100

September 19, 2011

Hal B. Channell, Esq.  
77 Linoberg Street  
Sonora, CA 95370

Michael Goss, Esq.  
1119 12<sup>th</sup> Street  
Modesto, CA 95354

Re: Tina Brown, Chapter 7 Case No: 10-94467  
Tuolumne County Superior Court, Case No. FL9718

Gentlemen:

I am in receipt of a Judgment for the Dissolution of Marriage in the above-referenced Superior Court case entered on August 29, 2011. I have discussed the legal effects of this Judgment with both of you via telephone conversations earlier this week.

This letter will confirm that I represent Michael D. McGranahan as the Trustee appointed in the above-referenced Chapter 7 bankruptcy case filed on November 12, 2010 by Tina Brown in the United States Bankruptcy Court for the Eastern District of California, Case No: 10-94467.

11 U.S.C. Section 541(a)(2) provides in relevant part that property of the bankruptcy estate includes:

All interests of the debtor and the debtor's spouse in community property as of the commencement of the case that is--  
(A) under the sole, equal, or joint management and control of the debtor; or  
(B) liable for an allowable claim against the debtor, or for both an allowable claim against the debtor's spouse, to the extent that such interest is so liable.

For purposes of Section 541(a)(2), all community property not yet divided by a state court at the time of the bankruptcy filing is property of the bankruptcy estate. In re Mantle, 153 F.3d 1082 (9th Cir. 1998).

In instances where the community property has not been divided as of the bankruptcy petition date, the community property of the spouses passes to the debtor's bankruptcy estate, and creditors of the debtor's former spouse participate in the distribution as holders of "community claims." In re McCoy, 111 B.R. 276 (B.A.P. 9th Cir. 1990).

There is no question that the community property of both Tina Brown and Timothy Brown is property of this bankruptcy estate under the sole and exclusive jurisdiction of the United States Bankruptcy Court and subject to the administration of Mr. McGranahan as the appointed Trustee therein.

11 U.S.C. Section 362(a) provides in relevant part:

(a) Except as provided in subsection (b) of this section, a petition filed under section 301, 302, or 303 of this title, or an application filed under section 5(a)(3) of the Securities Investor Protection Act of 1970, operates as a stay, applicable to all entities, of--

(1) the commencement or continuation, including the issuance or employment of process, of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title, or to recover a claim against the debtor that arose before the commencement of the case under this title;

(2) the enforcement, against the debtor or against property of the estate, of a judgment obtained before the commencement of the case under this title;

(3) any act to obtain possession of property of the estate or of property from the estate or to exercise control over property of the estate...

11 U.S.C. Section 362(b)(2) of the Code provides in relevant part:

(b) The filing of a petition under section 301, 302, or 303 of this title, or of an application under section 5(a)(3) of the Securities Investor Protection Act of 1970, does not operate as a stay-

(2) under subsection (a)--

(A) of the commencement or continuation of a civil action or proceeding--

- (i) for the establishment of paternity;
- (ii) for the establishment or modification of an order for domestic support obligations;
- (iii) concerning child custody or visitation;
- (iv) for the dissolution of a marriage, except to the extent that such proceeding seeks to determine the division of property that is property of the estate; or
- (v) regarding domestic violence...

The entry of the Judgment dividing the community property of Tina Brown and Timothy Brown was clearly a violation of the automatic stay of 11 U.S.C. Section 362(a). While the marriage may be dissolved, the community property of both spouses remains property of the bankruptcy estate subject to the automatic stay.

The Judgment constitutes a knowing violation of the automatic stay of Section 362(a) and may constitute a contempt of the Bankruptcy Court resulting in an assessment of damages pursuant to Section 362(h).

I urge you to take the necessary steps to remediate the violation of the stay by entry of a Stipulated Order modifying the Judgment. While the Judgment may dissolve the marriage, that portion of the Judgment purporting to divide the community property assets should be removed. I am sure that Judge Boscoe had no knowledge of the Bankruptcy Court's jurisdiction over these assets. Whether an Amended Judgment can be obtained by stipulation or reconsideration, I will let you decide which course of action is procedurally proper.

The Trustee made demand upon Mr. Channell on behalf of Timothy Brown to turn over the community property assets to the bankruptcy estate on December 17, 2010. Follow up e-mails were made by the Trustee to the Debtor's counsel on February 8, 2011 regarding the community property. No assets have ever been turned over to the estate by the parties. The only response to the Trustee's demand is receipt of the Judgment.

The Trustee continues to make demand upon both Tina Brown and Timothy Brown for turnover of the following assets:

1. All right and title to Mexico Property awarded to Timothy Brown in Judgment, including all documentation establishing title, location, property taxation and outstanding indebtedness;
2. 2007 Chevrolet Corvette with an equity of \$10,915 awarded to Timothy Brown in Judgment, including all documentation

establishing title (i.e. pink slip), location, and outstanding indebtedness;

3. 2004 Harley Davidson Deuce valued at \$7,000 awarded to Tina Brown in Judgment, including all documentation establishing title (i.e. pink slip);

4. 2008 Harley Davidson Cross Bones awarded to Timothy Brown in Judgment, including all documentation establishing title (i.e. pink slip), location, and outstanding indebtedness;

5. \$10,000 in Umpqua Savings awarded to Tina Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

6. \$10,000 in Motherlode Bank awarded to Tina Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

7. \$20,000 in Trust Account awarded to Timothy Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

8. Lincoln Benefit (W) \$4,909 awarded to Tina Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

9. Lincoln Benefit (H) \$4,200 awarded to Timothy Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

10. American Funds \$3,588 awarded to Tina Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

11. Edward Jones \$10,600 awarded to Timothy Brown in Judgment, including all documentation establishing title, location of funds and account administrator;

12. 1997 Harley Davidson valued at \$7,000 awarded to Tina Brown in Judgment;

13. Black Cargo trailer awarded to Timothy Brown in Judgment; and

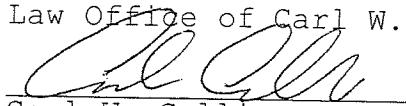
14. \$22,205.58 in Petitioner's attorney trust account awarded to Tina Brown in Judgment.

If the Judgment is not amended or modified as described above within 14 days of the date of this letter, the Trustee has instructed me to commence an Adversary Proceeding in the Bankruptcy Court to void the state court's Judgment, seek the

imposition of sanctions for contempt of court and for turn over of the community property assets to the bankruptcy estate.

I urge your clients to give this matter immediate attention. Should you have any questions, please do not hesitate to contact me.

Law Office of Carl W. Collins



Carl W. Collins

cc:

Michael D. McGranahan, Trustee

Michael Germain, Esq., Attorney for Debtor, Tina Brown

RECEIVED

OCT 04 2011

Michael R. Germain, Esq.



Patrick B. Greenwell, Esq.  
**CARL W. COLLINS**  
Attorney at Law

945 Morning Star Drive Sonora, CA 95370  
209-588-1500

September 30, 2011

Sent by fax 209-524-8461 & mail

Carl W. Collins  
Attorney at Law  
1127 12<sup>th</sup> Street, Suite 106  
Modesto CA 95354

Re: Tina Brown; Chapter 7 Bankruptcy Case No. 10-94467

Dear Mr. Collins:

I have received a copy of your letter dated September 19, 2011, addressed to my client's divorce attorney and her ex-husband's divorce attorney. I am not going to interject myself into the dissolution but did want to address some property issues as they relate to Tina Brown only.

The first issue in your letter relating to Ms. Brown is in Paragraph 3 regarding the 2004 Harley Davidson Deuce motorcycle. That motorcycle has been sold by the Trustee back to Ms. Brown for \$5,000. The Motion to sell was filed with the Court on September 7, 2011.

The next issues are two (2) \$10,000 bank accounts in Paragraphs 5 and 6 of your letter. There is no money in either of those accounts. The language in the Stipulation for Judgment was to account for two withdrawals from those accounts at the time of separation; March 2010. Those withdrawals were made approximately eight (8) months before filing the Chapter 7 Bankruptcy. The money was used by client to live on.

The next issue involves Lincoln Benefit Fund (Paragraph 8) and American Funds (Paragraph 10). Those two funds were held by Edward Jones and are clearly listed on my client's Schedule B. They are also claimed exempt on Schedule C under CCP § 704.110(b).

Paragraph 14 addresses \$22,205.58 in an attorney trust account. That amount was awarded to Ms. Brown to compensate her for personal property. When Ms. Brown was locked out of her home by her ex-husband, she took nothing with her. On Schedule B and C she listed her personal property and exempted it. The funds paid to my client were essentially to purchase that exempt property from her.

Carl Collins  
Re: Tina Brown  
September 30, 2011  
Page 2

The only real issue here is Paragraph 12, the 1997 Harley Davidson. In reality, there is another motorcycle not listed, a 2006 Harley Davidson. After the Stipulation for Judgment was entered, my client and her ex-husband agreed to swap those two motorcycles, without any additional consideration. So my client has a 2006 Harley (not listed) not the 1997 Harley. My client would like to purchase that bike from the Trustee.

Once you have had the opportunity to review these matters, I would appreciate the opportunity to discuss them with you.

Very truly yours,

THE BANKRUPTCY CENTER

By 

Patrick B. Greenwell,  
Attorney for Debtor, Tina Brown

cc: Tina Brown  
Michael Goss, Esq.

SEP 20 2010

CARL W. COLLINS

FAX (209) 524-8461  
E-MAIL carl@cwcollinslaw.com

ATTORNEY AT LAW  
1127 12TH STREET, SUITE 106  
MODESTO, CALIFORNIA 95354

MAILING ADDRESS:  
P.O. BOX 3291  
MODESTO, CA 95353-3291

(209) 521-8100

September 19, 2011

Hal B. Channell, Esq.  
77 Linoberg Street  
Sonora, CA 95370

Michael Goss, Esq.  
1119 12<sup>th</sup> Street  
Modesto, CA 95354

Re: Tina Brown, Chapter 7 Case No: 10-94467  
Tuolumne County Superior Court, Case No. FL9718

Gentlemen:

I am in receipt of a Judgment for the Dissolution of Marriage in the above-referenced Superior Court case entered on August 29, 2011. I have discussed the legal effects of this Judgment with both of you via telephone conversations earlier this week.

This letter will confirm that I represent Michael D. McGranahan as the Trustee appointed in the above-referenced Chapter 7 bankruptcy case filed on November 12, 2010 by Tina Brown in the United States Bankruptcy Court for the Eastern District of California, Case No: 10-94467.

11 U.S.C. Section 541(a)(2) provides in relevant part that property of the bankruptcy estate includes:

All interests of the debtor and the debtor's spouse in community property as of the commencement of the case that is--

(A) under the sole, equal, or joint management and control of the debtor; or

(B) liable for an allowable claim against the debtor, or for both an allowable claim against the debtor's spouse, to the extent that such interest is so liable.

For purposes of Section 541(a)(2), all community property not yet divided by a state court at the time of the bankruptcy filing is property of the bankruptcy estate. In re Mantle, 153 F.3d 1082 (9th Cir. 1998).

## CARL W. COLLINS

FAX (209) 524-8461  
E-MAIL carl@cwcollinslaw.com

ATTORNEY AT LAW  
1127 12TH STREET, SUITE 106  
MODESTO, CALIFORNIA 95354

MAILING ADDRESS:  
P.O. BOX 3291  
MODESTO, CA 95353-3291

(209) 521-8100

November 9, 2011

Patrick B. Greenwell, Esq.  
The Bankruptcy Center  
945 Morning Star Drive  
Sonora, CA 95370

Re: Tina M. Brown  
Chapter 7 Bankruptcy  
Case No. 10-94467

Dear Mr. Greenwell:

Thank you for your response to my letter of September 19, 2011 contesting the Order dividing the marital property of the debtor and non-debtor spouse in Tuolumne County Superior Court, Case No. FL9718. Unfortunately, I have not yet received a copy of the Amended Order from the court retracting the court's property division. Counsel for Mr. Brown, Hal Channell, has stated that Superior Court Judge Boscoe has been out of the country for over 3 weeks and has just returned so the Amended Order should be filed shortly.

I would like to address the Trustee's concerns over the property of the bankruptcy estate that is described in the debtor's portion of the property division Order and the issues which you describe in your letter.

1. The Trustee agrees that the debtor has resolved the issues over the 2004 Harley Davidson motorcycle by compromise with the Trustee and approved by the Bankruptcy Court.
2. As for the two (2) bank accounts of \$10,000 each awarded to the debtor. If the debtor contends that the \$20,000 was expended prior to the date of filing the bankruptcy petition, please provide an accounting of these expenditures, including copies of the bank statements showing the deposits of the \$20,000 into the debtor's bank account and copies of all checks showing the disbursements over the 8 months indicated in your letter.

3. As for the Lincoln Benefit fund of \$4,909 awarded to the debtor in the Order, please provide statements establishing that these funds are being held by Edward Jones in a simple IRA account and are not a separate fund of Lincoln Benefit. The American Funds of \$3,588 awarded to the debtor in the Order appears to be held by Edward Jones which the debtor has claimed exempt.

4. As for the \$22,205.58 in the attorney trust account of Hal Channell, the Trustee disputes the contention that this amount was awarded to the debtor to compensate her for personal property in the possession of her husband. The debtor's Bankruptcy Schedule B lists the personal property and the \$22,205.58 separately. The debtor's Bankruptcy Schedule C only exempts the personal property, not the \$22,205.58 which existed as of the commencement of the bankruptcy case and is property of the bankruptcy estate. In fact, the Trustee is informed and believes based upon statements made by the debtor that the entire amount of the non-exempt \$22,205.58 was disbursed to her by Mr. Channell post-petition and that the debtor recently paid approximately \$10,000 of these non-exempt funds to her mother without court approval in violation of 11 U.S.C. § 549. Please allow this letter to serve as a formal demand upon the debtor for the immediate turn over of the entire amount of \$22,205.58 to the bankruptcy estate.

5. In reviewing the Superior Court Order and the debtor's Bankruptcy Schedule B, the Trustee has several questions regarding the total number of motorcycles held by the debtor and her ex-spouse. These documents provide the following:

- a. 1997 Harley Davidson red Fat Boy awarded to debtor's ex-spouse at Page 1 of the Stipulation for Judgment attached to the Order (also listed in debtor's Bankruptcy Schedule B);
- b. Harley Davidson Screaming Eagle awarded to debtor at Page 1 of the Stipulation for Judgment attached to the Order;
- c. 2004 Harley Davidson Deuce (\$7,000) awarded to debtor at Page 3 of Exhibit "A" to the Stipulation for Judgment attached to the Order;
- d. 2006/2007 Harley Davidson Screaming Eagle (\$18,775) listed as disputed at Page 3 of Exhibit "A" and Page 2 of the Court Notes Report to the Stipulation for Judgment attached to the Order (also listed in debtor's Bankruptcy Schedule B);

e. 2008 Harley Davidson Cross Bones (\$11,000) awarded to debtor's ex-spouse at Page 3 of Exhibit "A" to the Stipulation for Judgment attached to the Order (also listed in debtor's Bankruptcy Schedule B); and

f. 1997 Harley Davidson (\$7,000) awarded to debtor at Page 1 of the Separate Property Report of the Stipulation for Judgment attached to the Order.

Please provide the Trustee with DMV title documentation for all vehicles owned presently or in the past by the debtor and her ex-husband so that identification can be authenticated.

The 2004 Harley Davidson Deuce has already been resolved for a payment of \$5,000 by the debtor under the compromise with the Trustee. The documents suggest that the debtor also has in her possession 2006/2007 Harley Davidson Screaming Eagle and a 1997 Harley Davidson. Your letter suggests otherwise and indicates that the debtor wishes to purchase the 2006/2007 Harley Davidson Screaming Eagle from the bankruptcy estate. Please contact the Trustee directly in this regard.

If the above requested assets are not turned over to the Trustee on or before November 30, 2011, I have been instructed to seek a court order for turnover and revocation of the debtor's discharge.

I urge the debtor to give this matter immediate attention. Thank you for your consideration in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Law Office of Carl W. Collins



Carl W. Collins

cc.

Michael D. McGranahan



Michael R. Germain, Esq.

Patrick B. Greenwell, Esq.

# The Bankruptcy Center

945 Morning Star Drive Sonora, CA 95370  
209-588-1500

**RECEIVED**

DEC 05 2011

November 29, 2011

Sent by fax 209-524-8461 & mail

**CARL W. COLLINS**  
Attorney at Law

Carl W. Collins  
Attorney at Law  
1127 12<sup>th</sup> Street, Suite 106  
Modesto CA 95354

Re: Tina Brown; Chapter 7 Bankruptcy Case No. 10-94467 filed Nov. 12, 2010

Dear Mr. Collins:

This letter is responding to your letter dated November 9, 2011. I will address the line items as listed in your letter:

1. 2004 Harley Davidson Motorcycle belongs to debtor, Tina Brown, pursuant to compromise with the Trustee and approved by the Bankruptcy Court.
2. Two (2) bank accounts of \$10,000 each awarded to debtor, please refer to **EXHIBIT A**.
  - a. Umpqua Bank Cashier's Check #6609550 for \$10,000 dated 02/25/10, transferred into Bank of America Business Account #...9206 (for Pure Cowboy on 03/08/10); paid \$10,000 to family law attorney, Michael Goss, in March 2010 as and for attorney fees & costs; Pursuant to debtor's Petition, the business account was closed on 11/05/10 with an ending balance of \$45.00
  - b. Mother Lode Bank Cashier's Check #8652 for \$10,000 dated 02/25/10, transferred into Bank of America Business Account #...9206 (for Pure Cowboy on 03/02/10); paid \$10,000 to business creditors from 03/03/10 to closing of that business account on 11/05/10 with an ending balance of \$45.00

Debtor has requested bank statements from February 2010 through date of filing Chapter 7 Bankruptcy, November 2010, to be provided under separate cover.

3. Lincoln Benefit fund \$4,909 awarded to debtor in civil court order & American Funds \$3,588 awarded to debtor in civil court order and claimed exempt in Ch 7 Bankruptcy. Please refer to **EXHIBIT B**.

- a. Lincoln Benefit fund of \$4,909, Account #...5255, life insurance policy previously initiated by representative of Edward Jones; cashed out 11/08/10 cash surrender amount was \$2,248.58. This fund was cashed out prior to filing Ch 7 bankruptcy and only "recognized" as debtor's in civil case order.
- b. American Funds \$4,050.72, Account #...2595, previously held by Edward Jones; closed on 03/01/11; awarded to debtor in civil case order and claimed exempt amount \$3,689.26 in Ch 7 Bankruptcy.
- c. American Funds \$7,957.63, Account #...6118 (**erroneously listed as Acct #...2595 in the amount of \$7,917.09 in Ch 7 Bankruptcy**), previously held by Edward Jones; closed on 05/13/11. This Edward Jones Account was claimed exempt in the Ch 7 Bankruptcy for the amount of \$7,917.09 (but account number was wrong).

4. Attorney (Hal Channell) Trust Account \$22,205.58

This amount was awarded to Ms. Brown to compensate her for personal property she will never receive from ex-spouse. Debtor's 50% interest in household furniture & furnishings held as exempt in the Ch 7 Bankruptcy totals \$11,500 and claimed exempt. The remaining amount (\$22,205.58 - \$11,500 = \$10,705.58) was to reimburse debtor for all the other community property items she will never receive from ex-spouse; i.e. cash & gold coins that were located in the community safety deposit box, etc. From the \$10,705 amount remaining, a check in the amount of \$6,000 was paid directly to her family law attorney, Michael Goss (direct check from Hal Channell, ex-spouse's attorney); which leaves only \$4,705 not claimed exempt. Debtor used this money for living expenses. **There are no remaining funds.**

5. Four (4) Harley Davidson Motorcycles ONLY:

- a. **1997 Harley Davidson Red Fat Boy VIN ...2282**  
**Possession: Timothy Brown**  
Title held in name of Timothy Michael Brown only (according to DMV) – contrary to the Civil Court award to Debtor, this motorcycle now belongs to Timothy Brown (swapped for 2006 HD)
- b. **2006 Harley Davidson Screaming Eagle VIN ...4730**  
**Possession: Tina Brown – EXHIBIT C.a. attached**  
Title held in names of Timothy Michael Brown OR Tina Marie Brown – contrary to the Civil Court award to ex-spouse, this motorcycle now belongs to Tina Brown (swapped for 1997 HD) – value is approximately \$12,000. This is the bike the debtor would like to purchase from the Trustee.

Carl W. Collins  
November 29, 2011  
Page 3

- c. **RESOLVED -- NOT AT ISSUE: 2004 Harley Davidson Deuce VIN ...4006**  
**Possession: Tina Brown (paid for through Trustee) EXHIBIT C.b.**  
**attached – Title held in names of Tina Brown OR Tim Brown**
- d. **2008 Harley Davidson Cross Bones VIN ...7500**  
**Possession: Timothy Brown with LOAN**  
**Title held in names of Timothy Michael Brown OR Tina Marie Brown with**  
**a lien holder (according to DMV)**

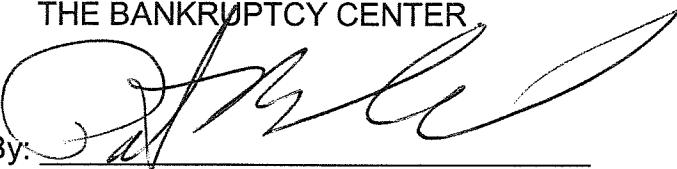
In light of the above circumstances, I would respectfully request that revocation of debtor's discharge not be submitted at this time and that negotiations regarding the 2006 Harley Davidson Screaming Eagle VIN ...4730 commence.

Also, as soon as debtor receives bank statements from February 2010 through November 2010, our office will provide them to you, pursuant to your request regarding the two (2) \$10,000 deposits.

Once you have had the opportunity to review these issues and attached documents, I would appreciate the opportunity to discuss them with you.

Very truly yours,

THE BANKRUPTCY CENTER

By: 

Patrick B. Greenwell,  
Attorney for Debtor, Tina Brown

cc: Tina Brown  
Michael Goss, Esq.